

DATE	TIME	BY	DESCRIPTION
03/05/05	5.90	MFK	emails to and from J. Carmichael re [REDACTED]; review [REDACTED] provided by J. Carmichael [REDACTED] judgment motion; draft introductory conclusion of arguments for joint reply/opposition; review and revise draft of joint reply/opposition; expand factual background related to procedural background and deadlines; draft declarations of P. Alston and J. Carmichael in support of joint reply/opposition; review and revise declarations; identify and compile relevant exhibits supporting joint reply/opposition; compare declaration statements of J. Carmichael to summary of factual background provided by J. Carmichael; compare declaration statements to references in joint reply/opposition; emails to P. Alston on [REDACTED]
03/06/05	1.00	MFK	review P. Alston's comments and edits to consolidated reply/memorandum in opposition and supporting declarations; emails with J. Carmichael re [REDACTED]; revise declaration of J. Carmichael to incorporate J. Carmichael and P. Alston's revisions; revise factual background and arguments in reply/opposition to coincide with Carmichael declaration amendments
03/07/05	7.60	MFK	review P. Alston's comments and edits to consolidated reply to summary judgment motion/opposition to motion for continuance; meeting with P. Alston [REDACTED]; emails and calls (three) with J. Carmichael re [REDACTED]; review Rule 37 and 26(a)(1); research re state and federal cases re application of Rule 37 to exclude documents from consideration on a motion/trial and for sanctions for not disclosing the documents in the required initial disclosures; research of state, federal, and Restatement re detrimental reliance, applicability of exception to statute of frauds, and elements to prove in establishing exception; revise consolidated reply/opposition to include argument on failure to provide initial disclosure and preclusion under Rule 37, and expand and revise argument related to detrimental reliance; review and revise reply/opposition draft to final for filing; revise and revise M. Kuo's declaration to reply/opposition; miscellaneous work and call with I.

DATE	TIME	BY	DESCRIPTION
			McEathron re filing of reply/opposition and service on R. Sutton/GMP
03/08/05	0.10	MFK	email with clients re [REDACTED]
03/08/05	0.20	PA	review motion documents
03/11/05	0.50	MFK	meeting re P. Alston re [REDACTED]; review GMP's initial disclosures and compare documents attached to initial disclosures to documents in support of GMP's opposition motion
03/16/05	0.20	PA	review order granting motion to continue and denying without prejudice motion for summary judgment
06/08/05	0.10	DKK	follow up with P. Alston and M. Kuo re dispositive motions deadline
08/12/05	0.50	MFK	email to and from P. Alston on summary judgment deadline and additional discovery; review rules on dispositive motions hearings and deadlines; meeting with P. Alston on same
08/31/05	1.40	MFK	review scheduling order and motion for summary judgment order re dispositive motion deadline and authority to refile; email to P. Alston on [REDACTED]
09/01/05	0.10	PA	email from and to M. Kuo re dispositive motions deadline
09/06/05	0.30	MFK	call with J. Carmichael re comments to Melnyk deposition, status of depositions, and case strategy re filing of summary judgment motion
09/07/05	0.20	PA	email from and to M. Kuo re summary judgment motion
09/09/05	1.30	MFK	review deposition transcript of Peter Melnyk and review exhibits to identify key testimony and admissions for summary judgment motion

DATE	TIME	BY	DESCRIPTION
09/10/05	3.40	MFK	emails to and from J. Carmicheal and J. Hecht and call (2) with J. Hecht re information from Tim Steinberger, content of declarations, prequalification of Synagro, procedure for prequalification, document submissions, no references to GMP, and effect on procurement process, and report on procurement process on projects for City; draft motion for renewed motion for summary judgment, including drafting supporting memorandum and expand introductory arguments and statement of facts for summary judgment re presentation, prequalification, parties' respective contracts with Analytical Planning Consultants, and [REDACTED]
09/11/05	10.50	MFK	continue drafting motion for summary judgment - expand statement of facts to include relevant deposition testimony and admissions of Peter Melnyk, prior summary judgment proceedings, GMP's Motion to Continue and Court's rulings on prior motions, GMP's lack of discovery and appropriateness of renewal of motions, expand summary judgment motion arguments related to application of statute of frauds, lack of sufficient writing, lack of part performance, and punitive damages; draft supporting declaration of J. Hecht; meeting with J. Hecht and K. Lucas on declaration, presentation, prequalification, status of construction, and prior conversations with GMP re work on project and Melnyk's testimony on references to Hecht, conversations with Hecht, and accuracy on same; calls with J. Hecht re [REDACTED]; review [REDACTED]; call with Hecht on [REDACTED]; revise Hecht's declaration and revise statement of facts to [REDACTED]
09/12/05	0.40	PA	email from and to M. Kuo re continuance; email from and to M. Kuo re ex parte motion to shorten time; review and revise declaration; email to M. Kuo
09/12/05	8.00	MFK	draft declarations of James Carmicheal and Timothy Steinberger; meeting with J. Carmicheal and J. Hecht on declarations, additional factual background, and motion for summary judgment arguments; revise declarations of

DATE	TIME	BY	DESCRIPTION
			J. Carmichael and J. Hecht to [REDACTED]; revise and expand motion for summary judgment to conform with declarations and additional information from meetings; review and revise motion for summary judgment and supporting declaration to final; emails to P. Alston on draft of same; draft ex parte motion to shorten time and supporting declaration of counsel; review and revise to final ex parte motion; email to P. Alston on draft of same; review statute of frauds statute and email to J. Hecht conforming no general minimum amount requirement and limited application to financial institutions
09/13/05	1.00	PA	review and revise concise statement and review and revise motion; email from and to M. Kuo
09/13/05	6.60	MFK	continue drafting and revising concise statement of fact supporting renewed and supplemented motion for summary judgment and coincide statements to motion; revise renewed motion for summary judgment to incorporate P. Alston's comments, clarify statement of facts, and strengthen introductory arguments and revise declarations of Carmichael and Hecht to coincide with renewed motion facts and arguments; email and call to J. Hecht re revised declaration; review pleading and discovery files to compile exhibits supporting motion and select key portions of exhibits supporting concise statement; calls (three) and email with Steinberger re declaration statements; review declaration of Steinberger and revise and revise to final; calls (two - left message) to Frank Doyle re case background and involvement in Project negotiations; draft declarations of M. Kuo supporting renewed motion for summary judgment and concise statement
09/13/05	0.20	DKK	emails back & forth with A. Matsuo re status of motion for summary judgment
09/14/05	2.70	MFK	emails with J. Hecht and C. Reynolds re [REDACTED]; calls and emails with T. Steinberger re [REDACTED]; revise concise statement of facts; review and revise concise statement and renewed and supplemented

DATE	TIME	BY	DESCRIPTION
			motion for summary judgment to final for filing; review and mark pertinent parts of exhibits to concise statement and motion for summary judgment; review compiled exhibits and declarations to filings and final pleadings to be filed
09/14/05	0.10	DKK	emails back & forth with A. Matsuo re assistance with exhibits for motion
09/15/05	0.90	MFK	calls (two) with Doug (lawclerk to Judge King) re denial of ex parte motion to shorten time, hearing date on trial date, options re re-scheduling, assignments to magistrates, and effects of ruling on motion and trial; emails with P. Alston updating on call with Judge King's chambers, options re hearing on motion and trial date, and case strategy re same; calls (two) with Leslie (calender clerk to Judge King) re potential trial dates and scheduling of pretrial deadlines and discovery deadlines in light of trial dates; emails with P. Alston on same
09/16/05	0.10	PA	email from and to M. Kuo re hearing date issue
10/21/05	0.10	PA	email from and to M. Kuo re continuance
10/21/05	0.20	MFK	call from Ted Pettit re co-counseling with Sutton, request for continuing hearing on summary judgment motion, and reasons supporting a continuance; email to P. Alston [REDACTED]
11/28/05	0.20	MFK	review of rules re filing date of GMP's opposition; strategy on untimely filing; and meeting with P. Alston on GMP's opposition and Synagro's reply filing dates
11/29/05	0.40	PA	work on reply in support of motion for summary judgment
11/29/05	10.50	MFK	emails to J. Carmichael, J. Hecht, and C. Reynolds re pre-qualification, technical proposal, pre-qualification date, and supporting documents; meeting with J. Carmichael re GMP's declarations and review email and

DATE	TIME	BY	DESCRIPTION
			summary from J. Carmicheal re clarification and refute of facts in GMP's declarations; research re joint venture, elements and requirements to establish joint venture, joint venture and application of statute of frauds, factually similar cases granting summary judgment on implied joint venture claims exceeding one year, rejecting facts and claims raised in opposition not plead in complaints, and factually similar cases rejecting unplead allegations; draft reply supporting summary judgment motion - arguments on rejecting allegations and claims raised in opposition not in counterclaim, law re establishing oral joint ventures, and lack of evidence of joint venture; review deposition transcripts of Melnyk and Guirguis re references to joint venture
11/30/05	14.20	MFK	calls with J. Hecht and J. Carmicheal re joint venture agreement with U.S. Filter, qualifications and technical proposal to City, and disputed facts in GMP's declarations; review emailed documents on same from Synagro office; meeting with P. Alston re joint venture and punitive damages arguments; research of state and federal law and restatement of contracts related to joint venture agreements exceed one year and statute of frauds, partial performance and reliance damages based on bidding process, and legal elements, doctrine of promissory estoppel and restitution damages, punitive damages and implied covenant of good faith and fair dealings, and factually similar cases on above issue and related to implied contract based on bidding efforts; continue drafting reply in support of summary judgment motion - including arguments on alleged joint venture agreement barred by statute of frauds, lack of partial performance, lack of implied-in-law contract under doctrine of promissory estoppel, and no right to restitution damages; draft supplemental declaration for J. Carmichael supporting reply; review and revise declaration to final; and compile exhibits supporting declaration
12/01/05	5.00	MFK	emails with J. Carmicheal and C. Reynolds re [REDACTED]; review of attachments on same; draft declaration of J. Carmicheal in support of reply to

DATE	TIME	BY	DESCRIPTION
			summary judgment motion; compile preliminary set of exhibits to J. Carmicheal's declaration; meeting with J. Carmicheal re same and revise declaration to include J. Carmicheal's comments; add introductory arguments to reply for summary judgment motion; expand and revise factual statement to support arguments and J. Carmicheal declaration; review and revise draft of reply to final; email to P. Alston re draft of reply and J. Carmicheal declaration for comment
12/02/05	1.00	PA	review and revise reply in support of motion for summary judgment; conference with M. Kuo re motion
12/02/05	11.20	MFK	meeting with P. Alston re [REDACTED] and Hawaii cases; review Harrison and Wakeman and HRS; research re additional Hawaii cases on [REDACTED]; revise and expand arguments to reply to include Hawaii cases on [REDACTED]; review and revise reply to final for filing; calls and emails with J. Carmicheal on status of declaration and lack of re-execution; draft and revise supporting declaration for reply; compile exhibits for reply and concise statement opposition
12/05/05	0.60	PA	review GMP's memo in opposition; review supplemental documents
12/05/05	0.60	MFK	revise and expand errata re reply in support of summary judgment motion and concise statements and table of authorities and content and word count verification; draft declaration in support of errata; review to final for filing
12/07/05	0.10	PA	email from and to M. Marsh re motion
12/14/05	2.30	MFK	call with J. King's clerk re GMP's motion to amend complaint; miscellaneous work clarifying service and receipt of motion; meeting with GMP counsel on same; meeting updating P. Alston on arguments and judge's withholding of ruling on summary judgment motion pending briefing on motion to amend; meeting with P. Alston re potential arguments for opposition to motion

DATE	TIME	BY	DESCRIPTION
			to amend; email to clients updating on hearing and motion to amend; emails with J. Carmicheal and A. Thomas re assessment of motion to amend, comments re facts, and transcript of proceedings; email with N. Kanada re transcript of proceedings
12/15/05	0.40	PA	review motion to file amended counterclaim and work on response
12/23/05	6.40	MFK	review of GMP's motion for leave to amend counterclaim and proposed counterclaim in preparation of drafting opposition; review FRCP Rule 15 and 16 and Wright and Miller re Rule 16, standard, and policy; research re Mammoth Recreations, Rule 16, standard of good cause, relation to amendments after scheduling order, factually similar state and federal cases, Rule 15, standard of review, applicable factors of consideration, and factually similar state and federal cases; review pleading files re Rule 16 scheduling order, amended order, and Court's Order on Motion to Continue to draft facts; draft statement of facts for opposition to motion for leave to amend; draft outline for arguments related to Rule 16 and Rule 15 and amendments after deadline in scheduling order
12/24/05	6.20	MFK	continue drafting opposition - draft arguments re Rule 16 standard, applicable cases, and analysis and arguments re Rule 15 on standard, applicable cases, and arguments and analysis related to prejudice, undue delay in seeking amendment, and undue delay and benefit in litigation
12/25/05	2.90	MFK	continue drafting opposition - argument on Rule 15 and futility and bad faith, draft introductory summary and conclusion, and review and revise draft to final for P. Alston's review; email to P. Alston on same
12/26/05	1.50	PA	review and revise memorandum in opposition to motion to amend complaint
12/26/05	1.30	MFK	emails from P. Alston re draft of opposition to motion for leave to amend counterclaim and Mammoth

DATE	TIME	BY	DESCRIPTION
			Recreations case; revise draft of opposition to incorporate P. Alston's comment and review scheduling order on additional facts for incorporation; review and revise draft to final for clients; email to clients on same
12/27/05	0.90	MFK	emails to and from Connie Reynolds and James Carmicheal re draft of opposition to motion for leave to amend; draft declaration in support of opposition; finalize opposition to final for filing; review compiled exhibits for filing
01/09/06	0.30	MFK	review GMP's reply in support of motion for leave to amend complaint; meeting with P. Alston on same; email to clients on same
01/10/06	0.20	PA	review GMP's reply memo re motion to file counterclaim
01/11/06	0.40	PA	review order granting summary judgment motion; email to and from clients
01/11/06	0.30	MFK	review Court's order granting Synagro's Motion for Summary Judgment and denying GMP's motion for leave; emails with clients and P. Alston on same
03/08/06	0.60	MFK	meeting with S. Park-Hoapili re [REDACTED]
03/08/06	0.10	SPH	meeting with M. Kuo re [REDACTED]
03/09/06	0.40	MFK	call (left message) to M. Marsh re GMP's decision re vacating trial pending briefing on attorneys' fees and cost
03/16/06	1.70	MFK	draft stipulation re vacating trial date and deadlines and pleading and hearing re motion for attorneys' fees and costs; review and revise to final; email and call to GMP counsel on same
03/24/06	0.20	MFK	revise stipulation to include GMP's counsel's comments on hearing by magistrate and reservation of right to review by district judge; revise and finalize stipulation; email to P. Alston and GMP Counsel on same

DATE	TIME	BY	DESCRIPTION
03/28/06	0.40	MFK	emails with M. Marsh re comments to stipulation and final stipulation; review local rules re 53, 54, and 28 USC 636 regarding magistrate assignment and motions for attorneys' fees and costs; review stipulation to include relevant local rules; review and revise to final for execution
04/04/06	2.10	SPH	review case file, pleadings and correspondence to prepare request for attorneys' fees and costs (NO CHARGE)
04/05/06	0.40	PA	review and redact invoices; letter to M. Marsh
04/05/06	0.20	MFK	emails with P. Alston re [REDACTED]; review P. Alston letter on same and redacted invoices
04/05/06	7.00	SPH	research Hawaii and federal law re [REDACTED]; research Hawaii and federal law re [REDACTED]; review Local Rules re requirement for motion for fees and costs; review itemization requirements; initiate draft motion for attorneys fees and costs
04/06/06	0.20	MFK	emails and call with S. Park-Hoapili re [REDACTED]
04/06/06	1.40	SPH	email to and from M. Kuo re [REDACTED]; continue drafting motion for fees and costs - expand analysis re implied breach of contract as a claim in the nature of assumpsit
04/07/06	1.40	SPH	prepare affidavit of P. Alston in support of fee request
04/10/06	1.60	SPH	continue drafting motion for attorneys fees - expand and reorganize factual background
04/11/06	0.40	MFK	call and meeting with S. Park-Hoapili re [REDACTED] (NO CHARGE FOR .2 Hrs.)
04/11/06	7.20	SPH	confer with N. Kanada re [REDACTED]; confer with M. Kuo re [REDACTED]; expand draft motion for attorneys fees; expand affidavit in support of motion; review invoices and categorically itemize work